

1 **Resolution Encouraging the Judiciary to Ensure Public Safety for Crime Victims**
2 **During COVID-19 Pandemic**

3 WHEREAS, domestic violence and sexual violence erode social cohesion and
4 development; and

5 WHEREAS, every year in Utah at least [42% of homicides](#) are domestic violence
6 related; and

7 WHEREAS, on March 27, 2020 Governor Gary Herbert has issued the [Stay Safe,](#)
8 [Stay Home directive](#) to the State of Utah; and

9 WHEREAS, the World Health Organization [reports](#) that as distancing measures
10 are put in place and people are encouraged to stay home, the risk of intimate partner
11 violence is likely to increase; and

12 WHEREAS, local law enforcement agencies in Utah have seen a [significant](#)
13 [increase](#) in domestic violence calls since the start of the pandemic; and

14 WHEREAS, in regard to Utah's [historic levels of unemployment](#) and other
15 adverse economic impacts of COVID-19, women and children can be especially
16 vulnerable to economic abuse at this time; and

17 WHEREAS, Utah's [jail and prison populations are decreasing](#) because officers are
18 issuing more citations in lieu of arrests for nonviolent offenders, prosecutors are issuing
19 more summons, jails are releasing many sentenced offenders, and courts are declining to
20 issue warrants or sentence offenders to incarceration; and

21 WHEREAS, some dangerous offenders are being released into the public in spite
22 of being [public safety threats](#); and

23 WHEREAS, Utah's Constitution recognizes that [crime victims have the right](#) to be
24 informed of, be present at, and to be heard at important criminal justice hearings; and

25 WHEREAS, some pretrial and probation services and other alternatives to
26 incarceration have been suspended due to COVID-19; and

27 WHEREAS, when dangerous offenders are released, whether pending trial or after
28 sentencing, this impedes immediate judicial protection, increases recidivism, and creates
29 a backlog of cases that affects the effectiveness and quality of criminal justice;

30 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of
31 Utah, the Governor concurring therein, calls on law enforcement, prosecutors, and the
32 judiciary to consider evidence-based practices and available resources which support not
33 just public health but also victim and public safety, including incarceration where
34 appropriate, when making decisions in criminal cases such as:

- 35 1. Whether to request or issue arrest warrants;
- 36 2. Whether and under what conditions to request, stipulate to, or grant pre-trial
37 release; and
- 38 3. When it is appropriate to sentence a convicted offender to prison or to jail as a
39 condition of probation.

40 BE IT FURTHER RESOLVED that the Legislature calls on law enforcement,
41 prosecutors, and the judiciary to recognize the rights of crime victims when considering
42 releases and arrest warrants for violent offenders in Utah.